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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/460,913	12/14/99	COMERFORD L	Y0998-522

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EXAMINER
AZAD, A

ART UNIT	PAPER NUMBER
2641	

DATE MAILED:

05/23/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

PTO-90C (Rev.11/00)

1- File Copy

	Application No.		Applicant(s)	
Office Action Summary	09/460,913		COMERFORD ET AL.	
	Examiner		**Art Unit**	
	ABUL K. AZAD		2641	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _12 March 2001_ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-19_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-10,13 and 16-19_ is/are rejected.

7) ☒ Claim(s) _11,12,14 and 15_ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _8_ .

18) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other: .

DETAILED ACTION

Response to Amendment

1.   This action is in response to the communication filed on March 12, 2001.

2.   Claims 1-19 are pending in this action. Claim 1 has been amended. Claims 9-19

have been newly added.

3.   Applicant's arguments with respect to claims 1-8 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-5, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Portable Translator (IBM Technical Disclosure Bulletin) in view of Das et al.

(Microprocessor-controlled speech communication link to a time-shared computer).

As per claim 1, Portable Translator teaches, "In an apparatus for a portable

language interface for a user to a device in communication with the apparatus . . . the

apparatus comprising: (an audio input/out put system (Fig. 1); decoding, synthesizing,

and a dialog manager are inherently coupled to the device); method for modifying a

data structure containing the at least one user interface data set," comprising:

"adding a new application to the device" (Page 187, a new application is another

language loaded in the apparatus);

"generating a second user interface data set in accordance with the new

application, the second user interface data set representing spoken language interface

elements and data recognizable by the new application" (Page 187, PCMCIA card is

generating a second user interface data set);

Portable Translator does not explicitly teaches, "transferring the second user

interface data set from the device to the apparatus and loading the second user

interface data set into the data structure of the apparatus." However, Das teaches

transferring the second user interface data set from the device to the apparatus and

loading the second user interface data set into the data structure of the apparatus (Fig.

1)." It would have been obvious to one of ordinary skill in the art at the time of the

invention to transfer the second user interface data set from the device to the apparatus

so that one can process speech in a small computer, which is less expensive with

desired performance.

As per claim 2, Portable Translator does not teach, "the step of audibly notifying

the user that the new application is useable via the audio output system." However, Das

teaches to new application is loaded or indicates that more data are to be sent (Page

5054, 2nd paragraph). It would have been obvious to one of ordinary skill in the art at the

time of the invention to notify the user loading status so that one can easily know the

status of the loaded application.

As per claims 3, 4 and 5, Portable Translator does not teach, "further comprising

the step of removing a user interface data set from the data structure."

"wherein the user interface data set is removed prior to the loading step in accordance with a least recently used algorithm."

"wherein the user interface data set is removed in accordance with a request by an application."

However, Das teaches a programmable read-only memory erasable by ultraviolet light (Page 5053, 1st Paragraph). It would have been obvious to one of ordinary skill in the art at the time of the invention to use a programmable read-only memory in the invention of Portable Translator so that unused program can be erase to minimized the memory space.

As per claim 9, Portable Translator teaches, "wherein the new application comprises a speech aware application, the speech aware application being responsive to user utterances for at least partially interacting with the new application" (Page 187, 4th paragraph).

As per claim 10, Portable Translator teaches, "the device prompting the user for information comprising a spoken utterance, the device manager being responsive to spoken utterance for operatively modifying at least one of the predetermined parameter of the device and an application running on the device" (Page 187, 5th paragraph).

8.   Claims 6-8, 13 and 16–19 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM Technical disclosure Bulletin (Portable Translator) in view of Luo et al. (US 6,216,158).

As per claim 6, Portable Translator teaches, "a method of automatically providing a spoken language interface for a user with respect to at least one external network with

which the user interacts, wherein the user process a portable spoken language interface device having a data structure for storing one or more user interface data sets used to provide one or more spoken language interfaces," the method comprising the steps of:

Portable Translator teaches a portable language interfaces but does not teach

"the device requesting a language interface data set from the external network upon discovery of the of external network; the external network transferring the language interface data set to the device; and loading the language interface data set into the data structure of the device for use by the user interfacing with the external network." However, Luo teaches to load a data set in a palm size computer upon discovery of the external network (Abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to use Luo's teaching in the invention of Portable Translator because Luo teaches the invention is able to access desktop functionality from palm size computers (col. 1, lines 31-33).

As per claims 7 and 17, Luo teaches, "wherein the device is in wireless communication with the external network." (col. 5, lines 64-65)

As per claim 8, Portable Translator teaches, "wherein the device comprises a personal digital assistant." (Fig.1)

As per claim 13, it has similar limitations as claims 10, so claims 13 is also rejected for the same reasons.

As per claim 16, Portable Translator teaches, "apparatus for automatically providing contingent transfer and execution of one or more spoken language interfaces

for a user with respect to at least one external network with which the user interacts,"

the apparatus comprising:

"a portable spoken language interface device (Fig. 1, PDA is the spoken

language device);

"a personal data assistant (PDA) operatively coupled to the spoken language

interface device, the PDA including at least one application associate therewith" (Page

187, 4th paragraph),

Portable Translator does not teach "wherein the portable spoken language

interface device is operative to: (i) request a spoken language interface data set from

the external network . . . by the user interfacing with the external network." However,

Luo teaches to load a data set in a palm size computer upon discovery of the external

network (Abstract). It would have been obvious to one of ordinary skill in the art at the

time of the invention to use Luo's teaching in the invention of Portable Translator

because Luo teaches the invention is able to access desktop functionality from palm

size computers (col. 1, lines 31-33).

As per claim 18, a speech coding/decoding, synthesizing engine is inherent in

such a PDA as taught by Portable Translator.

As per claim 19, it has similar limitations as claim 6, so that claim 19 is also

rejected for the same reasons.

Allowable Subject Matter

6.   Claims 11-12, 14 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-3838.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **William Korzuch**, can be reached at **(703) 305-6137.**

Any response to this action should be mailed to:

Commissioner for Patents

Washington, D.C. 20231

Or faxed to:

(703) 305-9508

(For informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is **(703) 305-4700.**
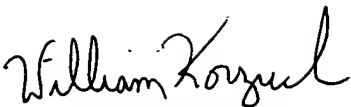
Abul K. Azad

May 18, 2001

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